



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE: **WR-2**

August 12, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AWARD AS-NEEDED ENVIRONMENTAL SERVICES AGREEMENT
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to award and authorize the Los Angeles County Flood Control District to enter into two consultant services agreements with BonTerra Consulting and Chambers Group, Inc., to provide environmental services to comply with local, State, and Federal environmental laws, regulations, and permits for implementing projects within the Los Angeles County Flood Control District.

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

Award and delegate authority to the Acting Chief Engineer or his designee, on behalf of the Los Angeles County Flood Control District, to enter into a consultant services agreement with BonTerra Consulting and Chambers Group, Inc., to provide environmental services such as environmental documentation, permit applications, cultural resources surveys and reports, biological surveys and reports, biological and water quality monitoring and reports, and mitigation plans for a not-to-exceed fee of \$2 million each for the first three years. The agreement allows the option to extend the services for two additional years for \$1.5 million each and a maximum aggregate not-to-exceed fee of \$3.5 million each for an aggregate amount of \$7 million for both over a five-year period.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to retain BonTerra Consulting (BonTerra) and Chambers Group, Inc., (Chambers) to perform environmental services for flood protection and water conservation projects in the Los Angeles County Flood Control District (LACFCD). The scope of services for each agreement includes preparing and/or conducting environmental documentation, permit applications, cultural resources surveys and reports, biological surveys and reports, biological and water quality monitoring and reports, and preparation and implementation of mitigation plans. The work will assist the LACFCD in complying with local, State, and Federal environmental laws, rules, regulations, and permit conditions.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Service Excellence (Goal 1) and Community Services (Goal 6) by maintaining, repairing, and constructing flood protection and water conservation facilities for the benefit of residents residing in the LACFCD; and Organizational Effectiveness (Goal 3) by allowing efficient and effective use of consultant services.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund. Public Works has negotiated the stated not-to-exceed fee of \$3.5 million each with BonTerra and Chambers, which represents the total not-to-exceed aggregate amount of \$7 million over a five-year period. For the initial three-year term, the fee shall not exceed \$2 million for each firm. In the two-year extension option, the fee shall not exceed \$1.5 million for each firm. Contracting authority remaining at the end of each contract year shall carry over into the succeeding contract year. It is expected the initial three-year term will start during Fiscal Year 2008-09 and conclude in Fiscal Year 2010-11. The two-year option, if exercised, would be operative during Fiscal Years 2011-12 and 2012-13, inclusive. Funds are available in the Fiscal Year 2008-09 Flood Control District Budget to finance current fiscal year expenditures. Any remaining authorization within the not-to-exceed fees will be budgeted in the Flood Fund Budget in future years.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The two agreements and their scopes of work contain provisions requiring the consultants to comply with the terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater

Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for agreement termination or renegotiation.

The two agreements and their scopes of work contain provisions requiring the consultants to report solicitations of improper consideration by County employees and allowing the County to terminate the agreements if it is found that the consultants offered or gave improper consideration to County employees.

A standard consultant services agreement, previously approved as to form by County Counsel, will be used for both agreements. The standard Board-directed clauses that provide for agreement termination, renegotiation, and hiring qualified displaced County employees will be included in each agreement.

ENVIRONMENTAL DOCUMENTATION

In accordance with Section 15378(b)(5) of the California Environmental Quality Act (CEQA) Guidelines, approval of the recommended action does not constitute a project and, hence, is not subject to the requirements of CEQA.

CONTRACTING PROCESS

On April 24, 2008, Public Works, acting on behalf of LACFCD, issued Request for Proposals to 98 consulting firms to provide environmental services. Thirteen proposals were received. An evaluation committee, comprised of staff from Public Works, evaluated the proposals and determined Chambers and BonTerra are the best qualified, responsible proposers providing the best overall value for the proposal. The evaluation was based on technical expertise, proposed work plan, experience, personnel qualifications, and an understanding of the work requirements. The evaluation was completed without regard to race, creed, color, or gender. As requested by your Board on February 3, 1998, this agreement opportunity was listed on the County's "Doing Business with Us" website.

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Participation by Community Business Enterprises (CBEs) in these services is encouraged through Public Works' CBE Outreach Program and the requirement that consultants demonstrate their good faith efforts to utilize CBEs. BonTerra and Chambers are aware of Public Works' CBE Outreach Program, and their proposed CBE participation is on file with Public Works.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The environmental services rendered will minimize the environmental impacts of flood protection and water conservation projects in compliance with regulatory agency permits.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Water Resources Division.

Respectfully submitted,



DEAN D. EFSTATHIOU
Acting Director of Public Works

DDE:RHK:yg

c: Chief Executive Office
County Counsel
Department of Public Social Services (GAIN/GROW Program)